

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 432 - HB 628

April 9, 2021

**SUMMARY OF ORIGINAL BILL:** Authorizes the clerk of the court to notify the Department of Health of the convictions required for registration on The Abuse Registry by electronic means.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (005648):** Deletes all language after the enacting clause. Requires all fines imposed for a violation of financial exploitation of elderly or vulnerable adults, neglect of an elderly or vulnerable adult, aggravated neglect of an elderly or vulnerable adult, abuse of an elderly or vulnerable adult, aggravated abuse of an elderly or vulnerable adult, and sexual exploitation of an elderly or vulnerable adult to be paid to the clerk of the court imposing the sentence and credited to the General Fund. Makes such funding subject to appropriation to the District Attorneys Conference (DAC) for the exclusive purpose of funding services for victims of abuse, neglect, financial exploitation, or sexual exploitation of elderly or vulnerable persons and educational programs to prevent such abuse, neglect, or exploitation.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

**Other Fiscal Impact – To the extent fine revenue is collected for the outlined offenses, there will be a shift in state revenue and an increase in state expenditures or decrease in local fine revenue and corresponding increase in state revenue and increase in state expenditures. The timing and amount of any impact to state and local government is unknown.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 40-24-106, except as otherwise provided by law, fines in felony criminal cases constitute a part of the revenue of the state and fines in all other state cases go to the county in which the indictment was found.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant; however, to the extent fine revenue is collected for the outlined

offenses, the proposed legislation authorizes a shift in the use of state revenue and a decrease in local fine revenue and corresponding increase in state revenue resulting from such offenses.

- This analysis assumes any shift in state funding or increase in state revenue appropriated to the DAC will be expended for services for victims of abuse, neglect, financial exploitation, or sexual exploitation of elderly or vulnerable persons and educational programs to prevent such abuse, neglect, or exploitation.
- Any impact to the DAC to implement such services or educational programming is estimated to be not significant.
- The timing and extent of any shift in state revenue and increase in state expenditures or decrease in local revenue and corresponding increase in state revenue and increase in state expenditures is unknown and unable to be quantified with reasonable certainty.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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